HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 445 of 2006 (MS)

Smt. Kamal Nain w/o Sri Sumit Kumar Kamboj,
16, Doon Vihar, Jakhan, Dehradun..... Petitioner

versus

1. The Judge, Family Court, Dehradun
2. Sri Sumit Kumar Kamboj s/o Sri Balkar Chand
   Dhani Mohari Ram VPO Chakbudoke, Jalnbad West
   District Ferozepur ..... Respondents

Sri Jitendra Chaudhari, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 27.4.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties at length.

By the present writ petition the petitioner has prayed for a writ of mandamus directing the respondent no. 1 for expedite disposal of O.S. No. 290 of 2004 and Misc. case No. 104 of 2004.

Briefly stated the petitioner has filed a suit under Section 13/27 of the Hindu Marriage Act against the respondent no. 2 in the Court of Judge, Family Court, Dehradun which was registered as O.S. No. 290 of 2004. The petitioner also filed an application under section 24 of the Hindu Marriage Act for interim maintenance.

The grievance of the petitioner is that the suit under Section 13 of the Hindu Marriage should have been decided

within stipulated period of six months provided under section 21B (2) of the Hindu Marriage act, which reads as under:

(2) *Every petition under this Act shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months form the date of service of notice of the petition on the respondent."*

In view of above the respondent no. 1 is directed to dispose of the suit within six months after obtaining certified copy of this order. Application under section 24 of the Hindu Marriage Act shall also be disposed of within a month.

Accordingly, writ petition is disposed of. No order as to costs.

Rajesh Tandon, J.

Dated: 27.4.2006

*Dhyani